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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/700,824	11/05/2003	David Leslie Tapsell	3003-1079-1	8555
466	7590	05/30/2007		
YOUNG & THOMPSON 745 SOUTH 23RD STREET 2ND FLOOR ARLINGTON, VA 22202			EXAMINER SALIARD, SHANNON S	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 05/30/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.		Applicant(s)	
	10/700,824		TAPSELL ET AL.	
	Examiner		Art Unit	
	Shannon S. Saliard		3628	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>5/6/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. **Claims 1 and 15** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As per **claim 1**, the limitation "allowing the registered user to send and receive data" as recited is vague and indefinite. It is unclear to the Examiner if the step is actually being performed.

As per **claim 15**, the limitation "the registered users" as recited is vague and indefinite. There is lack of antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. **Claims 1 and 19** are rejected under 35 U.S.C. 102(b) as being anticipated by Baranowski [US 6,813,608].

As per **claims 1 and 19**, Baranowski discloses registering (202) a user as a visitor to the site [col 13, line 62- col 14, line 3], and allowing the registered user to send (204) and receive (216) data relating to one or more of the visitor destinations over the communications network [see Fig. 5; col 15, lines 4-54; col 17, lines 52-56].

As per **claim 13**, Baranowski further discloses wherein the data sent by the registered user includes information request data representing a request for information relating to a said visitor destination (104) identified in the request, or a product/offering identified in the request [col 14, lines 17-28].

As per **claim 14**, Baranowski further discloses wherein the data sent by a registered user includes a purchase request [col 14, lines 17-28].

As per **claim 20**, Baranowski discloses site communication apparatus (121) including a registration component (118, 120) for registering a user as a visitor to the site using a communications network [col 13, line 62- col 14, line 3],, and a user communication device (106) for allowing the registered user to send and receive data to the site communication system, the data relating to the one or more visitor destinations [see Fig. 5; col 15, lines 4-54; col 17, lines 52-56].

As per **claim 21**, Baranowski further discloses wherein the network (115) includes a cellular wireless network, a wireless local area network or the Internet [col 13, lines 56-61].

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. **Claim 2** is rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608] in view of Grimm et al [US 2002/0116235].

As per **claim 2**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104). However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al so that the user can receive a reservation time that will meet his/her needs.

As per **claims 3 and 4**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104), the method further including a step of providing a schedule for at least some of the visitor destinations, the schedule including a set of time slots a said registered user can reserve to visit a said destination and the method further including a step of using the

schedule to check if an appointment time requested by the registered user is available at the destination. However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Grimm et al further discloses that a message may be displayed that indicates availability for attractions including available time slots [0099; see Fig. 7] and then the requests are processed by checking availability [0100-0104]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al so that the user can receive a reservation time that will meet his/her needs.

As per **claims 5-7**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104), the method further including a step of sending (212) appointment confirmation data to the registered user, the data representing a confirmation that the appointment requested by the user has been accepted, wherein the appointment confirmation data includes an authorisation code that is also sent to a device (123) associated with the visitor destination that is the subject of the appointment, the method further including a step of the registered user presenting the authorisation code at the visitor destination, and a device associated with the visitor destination being used to verify the authorisation code. However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Baranowski further discloses an entry

code is assigned to the customer at registration for the attractions and that the user code present the code to a device associated with attraction to admit the customer to the reserved attraction [col 16, lines 8-22]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method further including a step of sending (212) appointment confirmation data to the registered user, the data representing a confirmation that the appointment requested by the user has been accepted, wherein the appointment confirmation data includes an authorisation code that is also sent to a device (123) associated with the visitor destination that is the subject of the appointment, the method further including a step of the registered user presenting the authorisation code at the visitor destination, and a device associated with the visitor destination being used to verify the authorisation code so that only authorized users can bypass the line. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Grimm et al further disclose that a confirmation ticket may be mailed to a user [0066]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al to remind the customer of the attractions that he/she registered for.

As per **claim 11**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104), the method further including a step of sending (216) the registered user appointment

reminder data at a specific period before the appointment time. However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Baranowski further discloses the system controller transmits a reminder of the next attraction to the portable device [col 15, lines 31-36]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the registered user appointment reminder data at a specific period before the appointment time so that the attraction capacity is not underutilized. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al so that the user can receive a reservation time that will meet his/her needs.

As per **claim 12**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104), the method further including a step of the registered user sending data including appointment cancellation data representing cancellation of an appointment. However, Baranowski discloses that the user creates a schedule of reservations to use the various attractions [col 15, lines 4-8] and the user may select to delete an attraction from the reservation schedule [col 17, lines 52-56]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include a step of the registered user sending data including

appointment cancellation data representing cancellation of an appointment so that the availability information is up-to-date. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al so that the user can receive a reservation time that will meet his/her needs.

7. **Claims 8 and 9** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608] in view of Grimm et al [US 2002/0116235] and Visconti [US 6,876,973].

As per **claims 8 and 9**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104). However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Grimm et al so that the user can receive a reservation time that will meet his/her needs. Baranowski does not further disclose the method further including a step of sending (210) appointment unavailable data to the registered user, the data indicating that the appointment requested by the user has not been accepted and wherein the appointment unavailable

data includes data representing one or more alternative times at which the registered user can reserve to visit the specified destination. However, Visconti discloses when an proposed reservation time is not available an alternate time is suggested which the customer can accept or reject [col 3, lines 42-65]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Visconti so that a customer does not have to make repeated requests to obtain a reservation for the destination.

8. **Claim 10** is rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608] in view of Grimm et al [US 2002/0116235] and Murashita et al [US 2002/0062236].

As per **claim 10**, Baranowski does not explicitly disclose wherein the data sent by the registered user includes appointment request data representing a proposed time at which the user desires to visit a specified one of the visitor destinations (104). However, Baranowski discloses that the user create a schedule of reservations to use the various attractions [col 15, lines 4-8]. Furthermore, Grimm et al discloses that a guest can request a reservation for a proposed time [0062]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed y Grimm et al so that the user can receive a reservation time that will meet his/her needs. Baranowski does not further disclose the method further including a step of sending (210) appointment

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unavailable data to the registered user, the data indicating that the appointment requested by the user has not been accepted and wherein the appointment unavailable data includes data representing one or more other said visitor destinations that are available at the proposed time. However, Murashita et al discloses when all seats have been occupied at a particular place, a message is displayed for a user of alternative places that re available at the time [col 16, lines 33-37]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Murashita et al so that the user can efficiently manage his/ her time.

9. **Claims 15 and 16** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608].

As per **claim 15**, Baranowski does not explicitly disclose further including a step of sending data to all or some of the registered users at a particular time. However, Baranowski discloses a reminder is sent of the next attraction. Further, it is well known that reminders are sent some specific period before a reservation. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include a step of sending a said registered user data at a specific period before or after a said appointment time so that the attraction capacity is not underutilized.

As per **claim 16**, Baranowski does not explicitly disclose further including a step of sending a said registered user data at a specific period before or after a said appointment time. However, Baranowski discloses a reminder is sent of the next attraction. Further, it is well known that reminders are sent some specific period before a reservation. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include a step of sending a said registered user data at a specific period before or after a said appointment time so that the attraction capacity is not underutilized.

10. **Claim 17** is rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608] in view of Dutta [US 2002/0077953].

As per **claim 17**, Baranowski does not disclose further including a step (220) of deregistering all or some of the registered users to indicate that the user is no longer present at the site. However, Dutta discloses canceling a reservation when a use leaves a predetermined area [00019]. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include the method disclosed by Dutta so that the availability remains up-to-date, as suggested by Dutta [0019].

11. **Claims 18 and 22** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baranowski [US 6,813,608] in view of Oshima et al [US 7,203,158] and Official Notice.

As per **claim 18**, Baranowski does not disclose wherein at least some of the data transferred in the form of an SMS message. However, Oshima et al discloses using a cellular phone to request a reservation at an attraction [col 34, lines 25-42]. Furthermore, the Examiner takes Official Notice that it is old and well known in the art at the time of the invention that a cellular phone uses SMS messages to communicate. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include wherein at least some of the data transferred in the form of an SMS message for customer convenience of being able to communicate from anywhere.

As per **claim 22**, Baranowski does not disclose wherein the user device (106) includes a mobile telephone and data is transferred in the form of SMS messages. However, Oshima et al discloses using a cellular phone to request a reservation at an attraction [col 34, lines 25-42]. Furthermore, the Examiner takes Official Notice that it is old and well known in the art at the time of the invention that a cellular phone uses SMS messages to communicate. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Baranowski to include wherein at least some of the data transferred in the form of an SMS message for customer convenience of being able to communicate from anywhere.

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims below for the convenience of the applicant.

Although the specified citations are representative of the teachings in the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested that the applicant, in preparing the responses, fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shannon S. Saliard whose telephone number is 571-272-5587. The examiner can normally be reached on Monday - Friday, 8:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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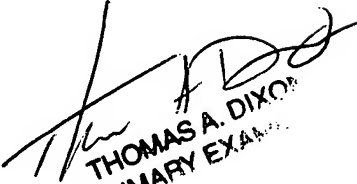
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Shannon S Saliard
Examiner
Art Unit 3628

SSS


THOMAS A. DIXON
PRIMARY EXAMINER